

APPEALS OF LOCAL GOVERNMENT ASSESSMENTS

Pat Goddard

Johnston County Tax Administrator

February 1, 2012

APPEALS AT THE LOCAL LEVEL

- How does a citizen know how to appeal?
 - Notice on local tax listing forms
 - Notice on the county websites
 - Notice in the local newspaper
 - Board of Equalization and Review Meetings
 - Required NCGS 105-105-322 (f) notice of date, hours, place, and purpose. Published at least 3 times with the first notice at least 10 days prior to the first meeting.

APPEALS AT THE LOCAL LEVEL

- What can be appealed?
- Real estate, personal property, registered motor vehicles, acceptance of late applications, value, situs, taxability
- Real estate is appealed in April when the Board of Equalization and Review meets
- Personal property values can be appealed within 30 days of the tax notice(bill)
- Registered motor vehicle values can be appealed within 30 days of the tax notice (bill)

APPEALS AT THE LOCAL LEVEL

- How does a citizen appeal at the local level?
 - Contact the local tax office and request an appeal form
 - Provide documentation to the tax office that demonstrates why the value is incorrect
 - Request the tax office review the property
 - Many tax offices handle most of the appeals at this “informal” level without going to the Board of Equalization and Review

APPEALS AT THE LOCAL LEVEL

- If the informal appeal does not get the desired result from the tax office?
- Appeal to the Board of Equalization and Review
- The Board of E and R can be elected county commissioners or a special board appointed by the county commissioners
- County Commissioners decide membership, qualifications, terms of office, and filling of vacancies

APPEALS AT THE LOCAL LEVEL

- Board of Equalization and Review hearings are public meetings
- Board members hear testimony/evidence from the taxpayer and the county tax office
- Notices of Decision are mailed on a NCDOR prescribed form to notify the taxpayer of the Board Decision
- Notices include detailed information on how to appeal to the state Property Tax Commission

APPEALS AT THE LOCAL LEVEL

- Appealing at the local level has no required costs or fees to the taxpayer
- Costs could be incurred by hiring an appraiser, an attorney, or a real estate professional to appear and speak at the Board hearing
- Evidence presented at hearings may include appraisals, comparable sales, pictures of problems with the property, etc.

APPEALS AT THE LOCAL LEVEL

- In a revaluation year, the Board of E and R typically hears more appeals than in non-revaluation years.
- The number of appeals is trending up in non-revaluation years

APPEALS AT THE LOCAL LEVEL

- Johnston County Example
- 2010 7th year of revaluation cycle
 - 650 real estate appeals
 - Many vacant lot value appeals from real estate developers
- 2011 revaluation year
 - 9515 informal appeals
 - 1199 withdraw after speaking with tax office
 - 4616 no change in value
 - 3560 value decreased
 - 140 value increased

APPEALS AT THE LOCAL LEVEL

- Johnston County Example
- Formal Appeals to the Board of Equalization and Review 2011 revaluation year
- 1026 parcels were appealed by submitting an appeal form
- Only 345 taxpayers appeared for hearings
- Appealed to the Property Tax Commission 12 appellants with 21 parcels

APPEALS AT THE LOCAL LEVEL

- When decisions are appealed to the state level the county attorney or contracted attorney represents the tax office
- Costs may be incurred by the taxpayer based on whether or not they appear Pro Se or hire an attorney
- Property Tax Commission staff acts as the liaison between the county and the appellants

APPEALS AT THE LOCAL LEVEL

- Statutes are in place to provide due process for taxpayers
- Costs for appealing values do vary but can be very inexpensive to the taxpayer